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11 James Robert Metzger

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 United States of America,  
15  
16 Plaintiff,  
17  
18 v.  
19  
20 James Robert Metzger,  
21  
22 Defendant.

No. CR 05-00649 CW

ORDER EXCLUDING TIME FROM  
SPEEDY TRIAL ACT CALCULATIONS  
AND CONTINUING HEARING DATE

1 Based on the parties' stipulation and for good cause show, the Court hereby  
2 CONTINUES the September 11, 2006 change of plea or trial setting hearing to October  
3 16, 2006 at 2:30 p.m. The Court hereby finds, based on the information provided by the  
4 parties, that an exclusion of time under the Speedy Trial Act from September 11, 2006 to  
5 and including October 16, 2006 is appropriate pursuant to 18 U.S.C. § 3161(h)(8)(A) and  
6 18 U.S.C. § 3161(h)(8)(B)(iv). The ends of justice served by granting the requested  
7 continuance outweigh the best interests of the public and of the defendant in a speedy trial  
8 and the prompt disposition of the criminal case. Failure to grant the continuance would  
9 deny counsel for the defendant the reasonable time necessary for effective preparation,  
10 taking into account the exercise of due diligence.

11 SO ORDERED.

12 Dated: \_\_9/5\_\_ , 2006  
13

14 /s/ CLAUDIA WILKEN  
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16  
17 THE HONORABLE CLAUDIA WILKEN  
18 UNITED STATES DISTRICT COURT  
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